

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 MICHAEL HILL,

12 Petitioner,

13 v.

14 KEVIN CHAPPELL, Acting Warden of
15 San Quentin State Prison,

16 Respondent.
17

CASE NO. C-94-0641 CW

DEATH-PENALTY CASE

**ORDER PERMITTING SERVICE
OF SUBPOENA DUCES TECUM**

**Dept: Hon. Claudia Wilken
District Judge**

18 GOOD CAUSE APPEARING, on application by Petitioner, IT IS ORDERED that
19 Petitioner shall be permitted to serve subpoenas duces tecum on the Alameda County District
20 Attorney in Oakland, California, and on the Oakland Police Department, in Oakland,
21 California, to obtain all files, notes, papers, reports, and records pertinent to the investigation
22 and prosecution of Michael Hill for the August 15, 1985 killings of Anthony Bryce, Sr. and
23 Anthony Bryce, Jr. in Alameda County Superior Court #C-84675.

24 This Order also requires compliance with and response to any subpoena seeking
25 information, including any writings, reports, memoranda, or documents bearing on contacts
26 between investigators or officers of the Oakland Police Department and/or lawyers,
27 investigators, or other employees of the Alameda County District Attorney's office, with the
28 witnesses People v. Michael Hill, C-84675, including but not limited to: Robert Fox;

ORDER PERMITTING SERVICE OF SUBPOENA DUCES TECUM

1 Denine Euston; Rudolph Wilkins; Marta Daniels; Sam Dartez; Rane Bennett; Arthur Allen;
2 and Clifford Turner.

3 This Order also authorizes the issuance of subpoenas seeking information, writings,
4 memoranda, notes, reports concerning the investigation, arrest, and interviews of case
5 witness and/or interviewee Michael McCray, and information pertinent to any promises,
6 assurances, or representations that McCray would not be prosecuted in connection with the
7 killings of the Bryces and any related felony or felony murder charges. Any and all
8 information in the possession of the Oakland Police Department or the Alameda County
9 District Attorney's office bearing on the decision not to prosecute McCray, and/or pertinent
10 to the writing of a letter to McCray's lawyer stating that McCray would not be prosecuted for
11 the Bryce killings and/or for any charges related to the killings shall also be within the
12 permissible scope of any subpoenas issued pursuant to this Order.

13 The files, records, and writings specified here shall be deposited with the Court. The
14 Attorney General of the State of California shall be permitted, upon request, to obtain a full
15 copy of those files and records. Prior to any inspection of the files by any party, this Court
16 will hold a hearing to allow the assertion of any privileges that may be applicable to the
17 contents of the files or objections to inspection of the files, records, and writings by any
18 interested party.

19 None of the files, writings, and records shall be altered prior to production to this
20 Court, and no documents of any kind are to be removed from the files and records described
21 here.

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 Upon service of the attached subpoena, the files, writings, and records described
2 therein shall be deposited forthwith in this Court by the pertinent Custodians of Record. Any
3 Custodian of Records needing more than 30 days to comply with this subpoena shall notify
4 the Court of that need within 30 days of service of the subpoena.

5
6
7 Dated: July 31, 2012


THE HONORABLE CLAUDIA WILKEN
DISTRICT JUDGE